

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 2:09CR087-NBB-DAS

ROGER WEINER

ORDER

This matter is before the court on a motion by the government to quash orders issued by this court on June 18, 2009 (# 30). After considering the motion and the response, and after a telephonic hearing on the motion, the court finds that because 18 U.S.C. Section 2703 provides a procedure by which only a governmental entity may request disclosure of certain information, the motion is well taken.

Additionally, during the telephonic hearing, it became clear that the government will likely provide the information sought by the defendant. If, however, the government subsequently determines the information is not discoverable, the defendant will file a motion for production of the information, and the issue will be addressed in that manner.

IT IS, THEREFORE, ORDERED that the government's motion to quash is hereby GRANTED, and the above referenced orders requiring disclosure of information are hereby VACATED.

SO ORDERED this, the 2nd day of July 2009.

/s/ David A. Sanders
U. S. MAGISTRATE JUDGE